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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

WILLIAM MAXWELL

Plaintiff,

v.

NATIONAL CREDIT WORKS, INC.

Defendants

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Case No.

COMPLAINT FOR VIOLATIONS OF  
FAIR DEBT COLLECTION  
PRACTICES ACT

JURY REQUESTED

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. §1692k(d).
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA").
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here.

## PARTIES

4. Plaintiff William Maxwell (hereinafter “Plaintiff”) is a natural person who resides in the City of Portland, State of Oregon, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant National Credit Works, Inc. (hereinafter “Defendant”) operating from an address of 4490 Holland Office Park Suite 103 Virginia Beach, Virginia 23452 is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6) and is not licenced to conduct business in the state of Oregon.

## FACTUAL ALLEGATIONS

6. Defendant contacted Plaintiff multiple times at home and at work in an attempt to collect a debt. Plaintiff repeatedly told Defendant not to call him at work.

7. On or about July 28, 2009 Defendant called Plaintiff’s work. Plaintiff is a Deputy with the Multnomah County Sheriff’s Office and such phone calls interfere with Plaintiff’s duties.

8. At the time Defendant called Plaintiff’s work, Plaintiff was unavailable and Defendant was placed on hold. A co-worker of Plaintiff picked up the line to take a message. Defendant became belligerent and argumentative with Plaintiff’s co-worker. Defendant told Plaintiff’s co-worker that Plaintiff needed to call back Defendant right away as it was a time sensitive legal issue.

9. Defendant faxed a document to Plaintiff’s Human Resources Department requesting personal information about Plaintiff. Defendant’s fax indicated it was regarding a pre-litigation, civil investigation matter.

10. As a direct and proximate result of Defendant’s actions Plaintiff has

suffered actual damages in the form of emotional distress, embarrassment, anger, worry, and frustration, among other negative emotions.

TRIAL BY JURY

11. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

12. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

13. The foregoing acts and omissions of defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692c(a)(3), 1692d, 1692e, 1692e(5), 1692e(10), 1692f.

14. As a result of defendant's violations of the FDCPA, plaintiff is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against defendants for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) against each and every defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every defendant;

DATED: October 12, 2009

/s/ Eric Olsen OSB# 783261 for  
Keith D. Karnes, OSB # 03352  
503-362-9393  
Attorney for Plaintiff